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16085 U.S.PTO

22553 U.S.PTO
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | | PRIOR APPLICATION | |
|---------------|---|----------|-------------------|----------|
| | CLASS | SUBCLASS | EXAMINER | ART UNIT |
| 163.1752US11 | 422 | 266 | M. CHORBAJI | 1744 |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 372668265 US
Date of Deposit: April 16, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sheryl A. Boerboom
By:
Name: Sheryl A. Boerboom

CONTINUATION-IN-PART APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation-in-part application under 37 CFR § 1.53(b) of Serial No. 10/435,351, filed on May 9, 2003, which claims priority to U.S. Provisional Patent Application Serial No. 60/467,661, filed May 2, 2003, entitled DISPENSING APPARATUS AND METHOD SUITABLE FOR HETEROGENEOUS COMPOSITION by the following inventor(s):

| | | | |
|-------------------------|--|------------------------------------|--|
| Full Name Of Inventor | Family Name FINE | First Given Name DAVID | Second Given Name A. |
| Residence & Citizenship | City MINNEAPOLIS | State or Foreign Country MINNESOTA | Country of Citizenship USA |
| Post Office Address | Post Office Address 5416 EMERSON AVE. S. | City MINNEAPOLIS | State & Zip Code/Country MINNESOTA 55419/USA |
| Full Name Of Inventor | Family Name KLOS | First Given Name TERRY | Second Given Name JAMES |
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| Full Name Of Inventor | Family Name CHUTE | First Given Name BRIAN | Second Given Name |
| Residence & Citizenship | City INVER GROVE HEIGHTS | State or Foreign Country MINNESOTA | Country of Citizenship USA |
| Post Office Address | Post Office Address 8672 BECHTEL AVE. | City INVER GROVE HEIGHTS | State & Zip Code/Country MINNESOTA 55076/USA |
| Full Name Of Inventor | Family Name CARLSON | First Given Name BRANDON | Second Given Name |
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| | | | |
|----------------------------|--|---------------------------------------|---|
| Full Name Of Inventor | Family Name DAO | First Given Name QUANG | Second Given Name |
| Residence & Citizenship | City EDEN PRAIRIE | State or Foreign Country MINNESOTA | Country of Citizenship USA |
| Post Office Address | Post Office Address 12066 OXBOW DRIVE | City EDEN PRAIRIE | State & Zip Code/Country MINNESOTA 55347/USA |

1. Enclosed is the application; including the specification, claims, drawings, and a signed new oath or declaration. The continuing application is as follows: 19 pages of specification, 15 claims, 1 page of abstract, 14 sheets of drawings, and 4 pages of oath or declaration.
- The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. The filing fee is calculated below:

CLAIMS AS FILED

| NUMBER FILED | NUMBER EXTRA | | RATE | FEE |
|--------------------------------|--------------|---|--------------------------|-----------------|
| TOTAL CLAIMS: 15 | -20 | 0 | x \$18.00 | 0.00 |
| INDEPENDENT CLAIMS 2 | -3 | 0 | x \$86.00 | 0.00 |
| | | | BASIC FILING FEE: | \$770.00 |
| | | | TOTAL FILING FEE: | 770.00 |
| | | | | |

- Small entity status is claimed pursuant to 37 CFR 1.27.
3. Payment of fees:
 Attached is a check in the amount of \$770.00
 Please charge Deposit Account No. 13-2725.
4. The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
5. A set of formal drawings (14 sheets) is enclosed.
6. Priority of application Serial No. , filed on in , is claimed under 35 U.S.C. 119.
 The certified copy has been filed in prior application Serial No. , filed .
7. The prior application is assigned of record to Ecolab Inc. located at Ecolab Center, St. Paul, Minnesota 55102.
8. The Power of Attorney in the prior application is to:

Merchant & Gould P.C.
Minneapolis, MN 55402-2215

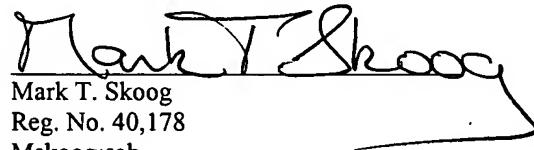
9. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
10. Fee for excess claims is attached.
11. A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.
12. The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
13. A Nonpublication Request under 37 CFR 1.213(a) is enclosed.
14. Also Enclosed:
15. Address all future communications to the **Attention of Mark T. Skoog** (may only be completed by attorney or agent of record) at the address below.
15. A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

23552
PATENT TRADEMARK OFFICE

Date: Apr 16, 2004


Mark T. Skoog
Reg. No. 40,178
Mscoog:sab